

IFW

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))			Docket No. 13095B
In Re Application Of: Robert Harris			
Serial No. 10/688,638	Filing Date October 17, 2003	Examiner Unassigned	Group Art Unit 1654
Title: NEW USES FOR AMINO ACID ANTICONVULSANTS			
<p>Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> <p>37 CFR 1.97(b)</p> <p>1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.</p> <p>37 CFR 1.97(c)</p> <p>2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:</p> <p><input type="checkbox"/> the statement specified in 37 CFR 1.97(e);</p> <p>OR</p> <p><input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).</p>			

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13095B

In Re Application: **Robert Harris**

Serial No.

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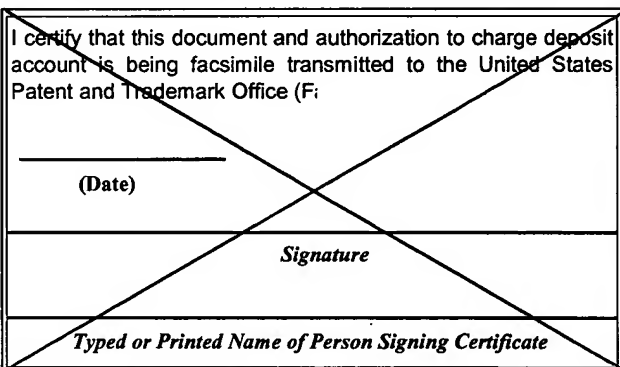
NEW USES FOR AMINO ACID ANTICONVULSANTS

Payment of Fee

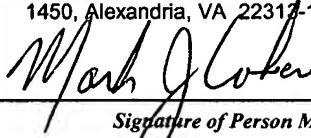
(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

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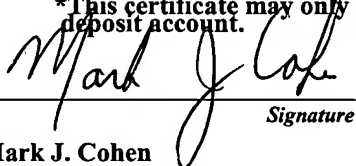
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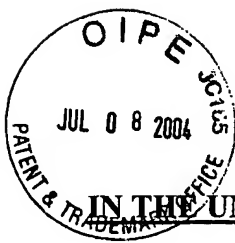
*This certificate may only be used if paying by deposit account.


Signature

Dated: July 6, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Robert Harris

Examiner: Unassigned

Serial No.: 10/688,638

Art Unit: 1654

Filed: October 17, 2003

Docket: 13095B

For: NEW USES FOR AMINO ACID
ANTICONVULSANTS

Dated: July 6, 2004

Confirmation No.: 2598

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. United States Patent No. 5,773,475, issued June 30, 1998;
2. United States Patent No. 5,654,301, issued August 5, 1997;
3. Parsons, et al., "Modulation of NMDA receptors by glycine – introduction to some basic aspects and recent developments", Amino Acids, 14: 207-216 (1998);

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 6, 2004.

Dated: July 6, 2004


Mark J. Cohen

5. Wlaz, et al., "Anticonvulsant effects of eliprodil alone or combined with the glycine_B receptor antagonist L-701,324 or the competitive NMDA antagonist CGP 40116 in the amygdala kindling model in rats", Neuropharmacology, 38: 243-251 (1999); and
6. Ebert, et al., "Anticonvulsant effects by combined treatment with a glycine_B receptor antagonist and a polyamine site antagonist in amygdala-kindled rats", European Journal of Pharmacology, 322: 179-184 (1997).

The references were cited in a Search Report dated May 12, 2004 received from the European Patent Office. In accordance with the waiver of 37 C.F.R. § 1.98 (a)(2)(i) in effect as of June 30, 2003, applicants are not required to submit copies of the above-cited U.S. Patent references 1-2.

It is noted that the Search Report lists additional citations:

United States Patent No. 5,378,729, issued January 3, 1995;

International Publication No. WO 99/43309, published September 2, 1999;

Kohn, et al., "Synthesis and Anticonvulsant Activities of α -Heterocyclic α -Acetamido-N-benzylacetamide Derivatives", J. Med. Chem., 36: 3350-3360 (1993);

Andurkar, et al., "The Anticonvulsant Activities of N-Benzyl 3-Methoxypropionamides", Bioorganic & Medicinal Chemistry, 7: 2381-2389 (1999);

Toniolo, et al., "A crystal-state, solution and theoretical study of the preferred conformation of linear C ^{α} , α -diphenylglycine derivatives and dipeptides with potential anticonvulsant activity", Int. J. Peptide Protein Res., 44: 85-95 (1994);

Billich, et al., "HIV proteinase inhibitors containing 2-aminobenzylstatine as a novel scissile bond replacement: biochemical and pharmacological characterization", Antiviral Research, 25: 215-233 (1994);

However, these six items were previously submitted in an Information Disclosure Statement dated October 17, 2003; thus, it is deemed not necessary to make these of record again and/or resubmit copies of same to the United States Patent and Trademark Office.

Applicant is submitting copies of the above-cited references 1-5, together with a copy of the Search Report. The relevance of the above-identified references has been described in the Search Report.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,



Mark J. Cohen

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**LIST OF PRIOR ART
CITED BY APPLICANT**

(Use several sheets if necessary)

Atty. Docket No.
13095BSerial No.
10/688,638Applicant
Robert H. HarrisFiling Date
October 17, 2003Group Art Unit
1654**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (if appropriate)
	AA	5,773,475	6/30/98	Kohn			
	AB	5,654,301	8/5/97	Kohn, et al.			
	AC	5,378,729	1/3/95	Kohn, et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		WO 99/43309	9/2/1999	PCT				

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

		Kohn H. et al., "Synthesis and anticonvulsant activities of α -heterocyclic α -acetamido-N-benzylacetamide derivatives", <i>Journal of Medicinal Chemistry, United States 29 October 1993, vol. 36, no. 22, pp. 3350-3360</i>
		Andurkar, et al., "The Anticonvulsant Activities of N-Benzyl 3-Methoxypropionamides", <i>Bioorganic & Medicinal Chemistry 7 (1999), pp. 2381-2389</i>
		Toniolo, et al., "A crystal-state, solution and theoretical study of the preferred conformation of linear C. α,α -diphenylglycine derivatives and dipeptides with potential anticonvulsant activity", <i>Int. J. Pept. Protein Res. 44. 1994, 85-95, XP001074241, , Page 85, column 1, paragraph 2, Page 86, column 1; example XIV</i>
		Billich, et al., "HIV proteinase inhibitors containing 2-aminobenzylstatine as a novel scissile bond replacement: biochemical. and pharmacological characterization", <i>Antiviral Research 25 (1994) pp. 215-233</i>
		Parsons, et al., "Modulation of NMDA receptors by glycine - introduction to some basic aspects and recent developments", <i>Amino Acids, 14: 207-216 (1998)</i>
		Wlaz, et al., "Anticonvulsant effects of eliprodil alone or combined with the glycine _B receptor antagonist L-701,324 or the competitive NMDA antagonist CGP 40116 in the amygdala kindling model in rats", <i>Neuropharmacology, 38: 243-251 (1999)</i>
		Ebert, et al., "Anticonvulsant effects by combined treatment with a glycine _B receptor antagonist and a polyamine site antagonist in amygdala-kindled rats", <i>European Journal of Pharmacology, 322: 179-184 (1997)</i>

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.